United States District Court

SOUTHERN DISTRICT OF TEXAS

United States District Court
Southern District of Texas
FILED

MAR - 9 2012

David J. Bradley, Clerk

UNITED STATES OF AMERICA
V.

Damian Alberto MALDONADO
United States Citizen
YOB: 1990

CRIMINAL COMPLAINT

M-12-0522-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 8, 2012 in Starr County, in the Southern District of Texas defendant(s) did, knowingly and

intentionally possess with the intent to distribute approximately 135.17 kilograms of marijuana, a Schedule I controlled substance, and did knowingly and intentionally conspire to possess with intent to distribute with persons known and unknown approximately 135.17 kilograms of marijuana, a Schedule I controlled substance.

in violation of Title 21 United States code, Section(s) 841 and 846.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHMENT A

Continued on the attached sheet and made a part hereof: X Yes ☐ No

approved by AUSA [signature]

[signature]
Signature of Complainant
Natt Otterson, Special Agent
U.S. Immigration & Customs enforcement

Sworn to before me and subscribed in my presence,

March 9, 2012
Date

at McAllen, Texas
City and State

Peter E Ormsby
Name & Title of Judicial Officer

[signature]
Signature of Judicial Officer

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, Natt Otterson, Special Agent, United States Immigration and Customs Enforcement, being duly sworn, depose and say the following:

On March 8, 2012, at approximately 8:15 P.M., while conducting traffic enforcement near Rio Grande City, Texas in Starr County, Texas Sherriff's Deputy Robert Rodriguez observed a grey Kia traveling with another vehicle at a high rate of speed east bound on US Highway 83. Deputy Rodriguez pulled in behind the vehicles at that time the Kia sped up and failed to signal lane change on two occasions. Deputy Rodriguez activated the emergency lights on the Starr County Sherriff's Unit.

The Kia continued east bound on U.S. 83 for approximately one mile before it pulled over to the shoulder of the highway. Deputy Rodriguez approached the vehicle to make contact with the driver and while doing so he observed in plain view what appeared to be marijuana bundles on the front passenger and the back seat. The driver, who could not provide identification but was later identified as Damian Alberto MALDONADO (2/4/90) was escorted from the Kia. MALDONADO subsequently gave Deputy Rodriguez verbal consent to search the trunk of the vehicle, where Deputy Rodriguez observed more marijuana bundles. A subsequent search of the vehicle resulted in the seizure of 135.17 kilograms of marijuana.

MALDONADO was detained and transported to the Starr County Sherriff's Department and ICE Task Force Officer (TFO) Guerra contacted ICE to assist in the investigation.

At approximately 9:25 P.M. ICE SA Aguilar and TFO Guerra met with MALDONADO at the Starr County Sherriff's Department, Texas for purposes of interview. ICE TFO Guerra advised MALDONADO of his Miranda rights in the English language as witnessed by SA Aguilar. MALDONADO voluntarily signed a written waiver of his Miranda rights and stated the following:

-Stated earlier in the day he drove to Zapata, Texas and bought the marijuana for $85 a pound from an unknown subject and was transporting the marijuana to McAllen, Texas where he was going to sell it for $140 a pound to an unknown subject.

-Stated he knew the packages contained marijuana.